

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOSUE ROMERO, *on behalf of himself and
all others similarly situated*,

Plaintiff,

-against-

HALO INNOVATIONS, INC.,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 6/15/2021

20-cv-8136 (MKV)

ORDER

MARY KAY VYSKOCIL, United States District Judge:

Plaintiff initiated this action by filing a complaint on October 1, 2020 [ECF #1]. To date, however, Plaintiff has not filed proof of service of the summons and complaint. Rule 4(m) of the Federal Rules of Civil Procedure provides:

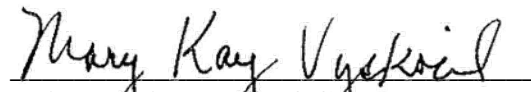
If a defendant is not served within 90 days after the complaint is filed, the court – on motion or on its own after notice to the plaintiff – must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Fed. R. Civ. P. 4(m). Accordingly, IT IS HEREBY ORDERED that, by June 29, 2020, Plaintiff shall both serve the summons and complaint on Defendant and file proof of such service on ECF.

Failure to comply with this Order might result in sanctions, including dismissal of this action with prejudice, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure, for failure to prosecute.

SO ORDERED.

Date: June 15, 2021
New York, NY


MARY KAY VYSKOCIL
United States District Judge